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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF CALIFORNIA  
NORTHERN DISTRICT**

Carl A. Wescott,

Plaintiff,

vs.

David Crowe;  
Mike Lyonette;  
Jeff Rau;  
Brad Malcolm;  
Michael Jimenez;

Defendants.

+ Does 1 through 50,

No: 3:20-cv-06456-JD

DECLARATION OF JEFF RAU  
REGARDING RAU DOCUMENT  
PRODUCTION

Courtroom: 11  
Judge: Hon. James Donato

I, Jeff Rau, under penalty of perjury, do declare and certify as follows:

1. I am one of the Defendants in this action. I have personal knowledge of the facts set forth herein, and if called as a witness, I could and would competently testify to the matters stated herein.

2. Pursuant to the Court's minute order dated April 14, 2022 (Order for Dkt. No. 107), directing a declaration regarding my document production, I declare that I have produced all non-privileged, non-objectionable responsive documents in my custody and/or

1 control. Additionally, a privilege log identifying documents not produced and the reasons  
2 they have not been produced has been previously provided to Plaintiff.

3 3. The one category of documents that I have not produced are documents  
4 responsive to Request for Production No. 5, which asks for "All documents for any loan  
5 the DEFENDANT has applied for since July 1<sup>st</sup>, 2016." My wife and I took out a loan for  
6 our primary residence on October 26, 2020. Contained within the loan documents are  
7 confidential and proprietary information that I do not want anyone, especially Mr. Wescott,  
8 to have. Further, this home loan has nothing to do with any of the allegations in this  
9 lawsuit.

10 I DECLARE UNDER THE PENALTY OF PERJURY THAT THE FOREGOING  
11 IS TRUE AND CORRECT.

12 SIGNED this 20<sup>th</sup> day of April 2022.

13  
14   
15 Jeff Rau

**PROOF OF SERVICE BY ELECTRONIC MAIL**

I, Kathy Koback, certify and declare as follows:

I am a citizen of the United States and a resident of the State of Washington. I am over the age of 18 years and not a party to the within-entitled cause. I am an employee with the law firm of Romero Park P.S., whose addresses are 16935 West Bernardo Drive, Suite 260, San Diego, California 92127 and 155 – 108<sup>th</sup> Avenue NE, Suite 202, Bellevue, Washington 98004, which is located in the county where the mailing described below took place.

On April 21, 2022, at my place of business in Bellevue, Washington, a copy of the attached document described as:

DECLARATION OF JEFF RAU REGARDING PRODUCTION DOCUMENTS  
was sent via electronic mail pursuant to the parties' agreement for acceptance of service via electronic mail, and addressed to:

Carl A. Wescott  
8210 e. Via De La Escuela  
Scottsdale, Arizona 85258  
Email: [carlwsoj@gmail.com](mailto:carlwsoj@gmail.com)

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: April 21, 2022.

  
Kathy Koback, Legal Assistant